

Message

From: Wu, Jennifer [Wu.Jennifer@epa.gov]
Sent: 2/22/2019 7:10:16 PM
To: Opalski, Dan [Opalski.Dan@epa.gov]
Subject: RE: For your RW: CMS AX-19-000-2748 re: WA federal hydroelectric facilities

Thanks, Dan. I'm working from home today, so don't have the CMS in front of me. I'll take a look at it on Monday and send revisions as needed for you to review.

Thanks for the update on the permits – not a big surprise, but I thought it would be good to check. We'll just wrap up what we can internally, and Martin and I will work on other projects: **Ex. 5 Deliberative Process (DP)** and moving ahead.

Have a great weekend,
Jenny

From: Opalski, Dan
Sent: Friday, February 22, 2019 11:05 AM
To: Wu, Jennifer <Wu.Jennifer@epa.gov>
Subject: Re: For your RW: CMS AX-19-000-2748 re: WA federal hydroelectric facilities

Thanks, Jenny. I have a couple of thoughts.

First, unless we get explicit direction otherwise, I think this can come from me rather than Chris, so let's check that out.

Second, while I definitely appreciate your sticking with the approved messaging on this topic, if this is the one I remember quickly reading yesterday, I think there is a factual clarification in order on the incoming email. Specifically, he really seems to indicate that he believes the permits were in place (i.e. issued) and then we pulled them back. While our general messaging does make clear that these were "only" preliminary permits, I think an additional sentence to clarify his misunderstanding is in order.

Third, I think I would be inclined to include the language that we intend not just to make the permits available for public comment, but that we intend to request water quality certification from the state per statute and regulation. I suggest we be explicit because of the theme in his message regarding the state's role.

On a different but related note, I did catch up with Chris in follow-up to our conversation. Unfortunately, at this time we should limit our work on the permits to just what we can do internally. I am going to do some work to try to get help on **Ex. 5 Deliberative Process (DP)** so that we can turn you loose to work on the other issues. Thanks for your patience. Stay tuned.

Feel free to call if you have questions or would like to discuss.

Sent from my iPhone

On Feb 22, 2019, at 10:28 AM, Wu, Jennifer <Wu.Jennifer@epa.gov> wrote:

Hi Dan, please see response below in response to a CMS re: WA hydro dams.

From: Lidgard, Michael
Sent: Thursday, February 21, 2019 4:52 PM

To: Wu, Jennifer <Wu.Jennifer@epa.gov>

Subject: Re: For your RW: CMS AX-19-000-2748 re: WA federal hydroelectric facilities

Hi Jenny. This looks good. Please forward to dan for his review. Thanks

Sent from my iPhone

On Feb 21, 2019, at 4:33 PM, Wu, Jennifer <Wu.Jennifer@epa.gov> wrote:

Hi Mike, I'm sending the following email below for the CMS in response to a citizen's concern about our withdrawal of the 401 cert request to Ecology. It was sent via email, and there is no mailing address, so I assume our response will also be sent via email. Please review the response and we can forward to Dan for his okay:

E-mail in response to CMS AX-19-000-2748 re: WA federal hydroelectric facilities

Dear Ex. 6 Personal Privacy (PP)

Thank you for your email on February 21, 2019 regarding the EPA's action to withdraw its 401 certification request to the Washington Department of Ecology on permits for Columbia River and Lower Snake River hydroelectric generating facilities. The EPA has determined that the permits require additional internal review before making drafts available for public comment. We fully intend to complete the internal review and update the preliminary draft permits. When the EPA issues public drafts of the permits, there will be an opportunity to comment. If you would like to be notified when the public comment period begins, please feel free to contact Jenny Wu at Wu.Jennifer@epa.gov or at 206-553-6328.

Sincerely,
Chris Hladick